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March 1, 2022

VIA ECF

Hon. P. Kevin Castel
United States District Court Judge
Southern District of New York
500 Pearl Street
New York, NY 10007

Re: SPT Chatsworth Holdings, LLC v. HFZ 344 West 72nd
Street, LLC, *et al.*, 20-CV-8502 (PKC) (the “Action”)

Dear Judge Castel:

My firm is counsel for the defendants in the Action (“Defendants”). We write pursuant to Rule 1(A) of Your Honor’s Individual Practices in response to today’s letter to the Court by Plaintiff’s counsel on the subject of the [Proposed] Final Judgment filed by Plaintiff [Dkt. No. 67] and Defendants’ [Counter-Proposed] Final Judgment [Dkt. No. 68].

Except for the fact that Defendants’ proposed judgment separates out liability for the Fifth through Seventh Causes of Action in this matter while Plaintiff’s proposed judgment does not, Plaintiff’s counsel’s letter correctly recites that the only difference between Plaintiff’s proposed judgment and Defendants’ proposed judgment is the amount due and owing under the several loans and guarantees at issue in the Action. Plaintiff’s counsel’s letter defends the increased amounts included in Plaintiff’s proposed judgment by citing the continued running of interest since August of 2021. Plaintiff’s position may be correct as a premise, but the damages figures, and calculations, in its proposed judgment are opaque.

I raised this issue twice with Plaintiff’s counsel in communications discussing the proposed and counter-proposed judgments. In two emails sent to Plaintiff’s counsel on February 28, 2022, I requested that Plaintiff provide the interest calculations it relied upon in drafting its proposed judgment. I made that request with the goal of obviating any need for a counter proposed judgment, writing to counsel: “In the meantime, would it be possible for you to provide us with your interest calculations so we can make sure we have no issues with that? That will hopefully help facilitate any approval of the revised judgment.”

Plaintiff, through its non-response to those inquiries, declined to provide any insight into its calculations, necessitating our filing of the counter proposed judgment. We respectfully request that Plaintiff be directed to provide the calculations it relied upon for the damages figures reflected in its proposed judgment so that the Court can ensure that any judgment accurately reflects Defendants’ obligations under this Court’s Opinion and Order, dated February 16, 2022.

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Thank you for your attention to this matter.

Respectfully submitted,

/s/ Jay R. Speyer

Jay R. Speyer

cc: All Counsel of Record (via ECF)